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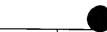
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			A. Maria Post	
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,556	07/16/2001	Ken Ito	Q65465	6022
	590 03/25/2003			
SUGHRUE, MION, ZINN, MACPEAK & SEAS 2100 Pennsylvania Avenue, N.W. Washington, DC 20037			EXAMINER	
			ORTIZ, EDGARDO	
			ART UNIT	PAPER NUMBER
			2815	
			DATE MAILED: 03/25/2003	6

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)





Office Action Summary

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Application No.	Applicant(s)
09/904,556	Ito Et.al.
Examiner	Art Unit

om out	Examiner	Art Unit			
	Edgardo Ortiz	2815			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address					
Period for Reply					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In					
mailing date of this communication.  If the period for reply specified above is less than thirty (30) days, a reply within the lift NO period for reply is specified above, the maximum statutory period will apply a Failure to reply within the set or extended period for reply will, by statute, cause the Any reply received by the Office later than three months after the mailing date of the earned patent term adjustment. See 37 CFR 1.704(b).	he statutory minimum of thirty (30) days will be and will expire SIX (6) MONTHS from the mailin he application to become ABANDONED (35 U.S	considered timely. g date of this communicationC. § 133).			
Status					
1) Responsive to communication(s) filed on Jul 16, 20	001	<u> </u>			
2a) ☐ This action is <b>FINAL</b> . 2b) ☑ This act	ion is non-final.				
3) Since this application is in condition for allowance eclosed in accordance with the practice under Ex pa	except for formal matters, prosec arte Quayle, 1935 C.D. 11; 453 (	cution as to the merits is O.G. 213.			
Disposition of Claims					
4) 💢 Claim(s) <u>1-21</u>		,			
4a) Of the above, claim(s)					
5) Claim(s)					
6)  Claim(s)					
7)					
8) 😡 Claims <u>1-21</u>	are subject to restrict	tion and/or election requirement.			
Application Papers					
9) U The specification is objected to by the Examiner.	_				
10) ☐ The drawing(s) filed on is/are a) ☐ accepted or b) ☐ objected to by the Examiner.					
Applicant may not request that any objection to the di					
		b)∐ disapproved by the Examiner.			
If approved, corrected drawings are required in reply to 12). The oath or declaration is objected to by the Examination.					
	ner.				
Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).					
a) 💢 All b) 🗆 Some* c) 🗀 None of:					
1. X Certified copies of the priority documents have	heen received				
2. Certified copies of the priority documents have been received in Application No.					
3. Copies of the certified copies of the priority do application from the International Burea	cuments have been received in t				
*See the attached detailed Office action for a list of the	certified copies not received.				
14) Acknowledgement is made of a claim for domestic		).			
a) The translation of the foreign language provisional application has been received.					
15)	priority under 35 U.S.C. §§ 120	and/or 121.			
Attachment(s)					
	4) Interview Summary (PTO-413) Paper No				
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)  3) Information Disclosure Statement(s) (PTO-1449) Paper No(s). 6) Other:					
	-, <u>-</u> , -, -, -, -, -, -, -, -, -, -, -, -, -,				



Application/Control Number: 09/904,556

Art Unit: 2815

## **DETAILED ACTION**

This Office Action is in response to an application filed July 16, 2001.

## Election/Restriction

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-15, 18 and 19, drawn to a protecting film for protecting a dielectric layer of a plasma display panel, classified in class 349, subclass 122.
  - II. Claim 16, 17, 20 and 21, drawn to a method of forming a protecting film for protecting a dielectric layer of a plasma display panel, classified in class 438, subclass 48.
- 2. The inventions are distinct, each from the other because of the following reasons: Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MEP. § 806.05(f)). In the instant case unpatentability of the group I invention would not necessarily imply unpatentability of the group II invention, since the device of the group II invention could be made by processes materially different from those of the group I invention. For example, the protecting film for protecting a dielectric layer of a plasma display panel can be fabricated by a vacuum deposition method.

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Because these inventions are distinct for the reasons given above and have acquired a 3. separate status in the art as shown by their different classification, the fields of search are not coextensive and separate examination would be required, restriction for examination purposes as indicated is proper.

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- 4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).
- 5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(I).
- 6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Edgardo Ortiz (Art Unit 2815), whose telephone number is (703) 308-6183 or by fax at (703) 308-7722. In case the Examiner can not be reached, you might call Supervisor Eddie Lee at (703) 308-1690. Any inquiry of a general nature or relating to the status

Art Unit: 2815

of this application should be directed to the Group 2800 receptionist whose telephone number is (703) 308-0956.

EO/AU 2815

3/21/03

SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800